

### **REMARKS**

Applicants do not believe a petition is necessary, because on their "Patent Application Transmittal Form" the following appeared as an amendment to the specification:

"-- This is a continuation-in-part of Application No. Serial No. 09/365,126 filed July 30, 1999, now pending. --"

The parent application has now been abandoned, and the specification amended accordingly. The parent application was not abandoned until November 15, 2001.

Enclosed herewith is a terminal disclaimer over U.S. Patent 6,441,074, which overcomes the rejection based on obviousness-type double patenting over this reference.

Applicants do not believe the present claims are obvious in view of copending Application No.09/760,940, (now U.S. Patent Application Publication 2002/0028867 A1, herein '867) for several reasons. The independent claim 1 of this reference requires the presence of about 15-55 weight percent of an inert filler (size not specified), and 0.5 to 5 weight percent of a filler having a mean particle size of <50 nanometers (0.05  $\mu\text{m}$ ). Either one of these fillers may be  $\text{TiO}_2$ , and the  $\text{TiO}_2$  for the inert filler may be a chloride-type process rutile  $\text{TiO}_2$  (see paragraph 0018). However, it is pointed out that the present claims are not directed to a composition, but to an electronic or electrical apparatus having conductors carrying 200 volts or more. The present invention is not obvious in view of the cited application because the cited application concerns compositions that are said to have low surface roughness and good adhesion. Although '867 mentions electronics and electrical applications (see paragraph 0004). It is silent as to voltages which can or will be used in these applications, so there is no hint within '867 that the apparatus currently being claimed is particularly useful when it comprises the LCP compositions presently described. Therefore the present application is not obvious over '867.

Furthermore, in '867, 0.5 to 5 weight percent of a filler having an average particle size of <50 nanometers (0.05  $\mu\text{m}$ ) must be present to provide a

composition which has smooth surfaces and good adhesion. The present application has a filler having an average size is  $<4\ \mu\text{m}$  (4000 nanometers), preferably  $0.1$  to  $0.3\ \mu\text{m}$  (100-300 nanometers). There is no incentive within the present application to use the smaller particled fillers of '867, and indeed one would be discouraged from doing so because such small sized fillers (including  $\text{TiO}_2$ ) are usually much more expensive. It is therefore believed this obviousness-type double patenting rejection is overcome.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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